

# WHY SCANNED DOCUMENTS ARE PROHIBITED

## ECF PROCEDURE 5 – FILING FORMAT REQUIREMENTS

### CONSIDERATIONS IN THE COURT’S ADOPTION OF ECF PROCEDURE 5

- All documents that are produced on a computer can be made into PDF files in two ways: (1) by electronic generation through PDF writing or conversion software; or (2) by printing the file to paper, putting that paper into a scanner, and then converting the resulting scanned image to PDF. Documents not produced on a computer, or those including such graphical elements as wet signatures, can only be scanned. **Accordingly, ECF Procedure 5(a) defines both Electronically Generated Text and Scanned Material, and provides, in 5(b), that all documents transmitted to ECF shall be Electronically Generated Text.** Certain attachments, exhibits, and other documents are excepted in 5(c), allowing such documents to be scanned.
- Additionally, filing prohibited Scanned Material, rather than required Electronically Generated Text, creates an unnecessary and unwarranted use of the Court’s available storage and bandwidth.
- Additionally, although this may appear to be purely a Filer concern rather than a Court concern, in order to be sensitive to the changes which must occur for appropriate practice in the ECF Bankruptcy Court, the Court considered that even the most robust conversion software costs less than half the price of a single quality scanner, and reducing scanning needs to only those documents that are permissible (ECF Procedure 5(c)) would not impose an unreasonable additional cost, since fewer scanners would be needed and would last longer.
- Additionally, it is far easier, more efficient and less costly to convert an electronic word processing file directly to a PDF file, than it is to first print that word processing file to paper, and then feed that paper into a scanner, only to ultimately end up with another electronic file when the scanner images it to PDF.
- Additionally, although certain scanners produce good images, no scanner can produce an “image” as good and clear as Electronically Generated Text resulting from direct conversion of the word processing file to PDF. Electronically Generated Text is more readable, and, for the Court, not merely with regard to Orders, but for all filings, Electronically Generated Text is usable, since it can be searched, copied, bookmarked, edited, etc.
- Finally, LBR 5005-4(b) requires compliance with the ECF Procedures established by the United States Bankruptcy Court for the Southern District of Ohio and, **unless the filing involves a document specifically authorized as Scanned Material (ECF Procedure 5(c), every attorney is required to comply with the requirements for Electronically Generated Text in all ECF filings.**